

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

<b>TONY RENDER,</b>	:	
	:	
<b>Petitioner,</b>	:	<b>Case No.: 5:10-cv-122(CAR)</b>
	:	
<b>v.</b>	:	
	:	
<b>BRIAN OWENS,</b>	:	<b>28 U.S.C. § 2254</b>
	:	
<b>Respondent.</b>	:	
_____	:	

***ORDER ON THE REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE***

Before the Court is the United States Magistrate Judge's Recommendation [Doc. 25] to dismiss Petitioner's claim as untimely pursuant to the Anti-Terrorism and Effective Death Penalty Act (AEDPA). 28 U.S.C. § 2244(d). Petitioner entered an Objection [Doc. 26] to the Recommendation, which only restates the same meritless argument he made in his initial Response [Doc. 23] to Respondent's Motion to Dismiss [Doc. 19].

Upon *de novo* review of the Recommendation, the Objection, and the entire record, the Court agrees with the findings and conclusions of the United States Magistrate Judge. The Recommendation is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**. Respondent's Motion to Dismiss is hereby **GRANTED**, and the Petition is **DISMISSED**.

**SO ORDERED**, this 10th day of December, 2010.

S/ C. Ashley Royal  
C. ASHLEY ROYAL, JUDGE  
UNITED STATES DISTRICT COURT

THC